

Instructions for Completing Form EIA-7A, "Coal Production Report"

- A. PURPOSE** This survey collects information from U.S. coal mining companies. Information on the type and status of coal mining operations, characteristics of coal beds mined, recoverable reserves, productive capacity, and the disposition of coal mined is collected to provide Congress with basic statistics concerning coal supply, as required by the Federal Energy Administration Act of 1974 (FEAA) (P.L. 93-275) as amended.

These data appear in the *Coal Industry Annual*, the *Quarterly Coal Report*, the *Monthly Energy Review*, and the *Annual Energy Review*. In addition, the Energy Information Administration uses the data for coal production related analysis and in short-term and mid-term models. The forecast data appears in the *Short-Term Energy Outlook* and the *Annual Energy Outlook* Publications.

- B. WHO MUST SUBMIT** Form EIA-7A must be submitted by all coal mining companies that owned a mining operation which produced and/or processed, or prepared 10,000 or more short tons of coal during the report year. Standalone facilities (preparation plant/tipple/loading/dock/train loadout) that worked 5,000 or more hours must also submit the form. Make a copy for your records.

- C. WHERE TO SUBMIT** Form EIA-7A should be returned in the business reply envelope provided to:

Energy Information Administration, EI-522
Mail Station: BG-094, FORSTL
U.S. Department of Energy
Washington, D.C. 20585
Attn: EIA-7A

Requests for further information should be directed to the address above or by telephone on (202) 426-1155.

- D. WHEN TO SUBMIT** Form EIA-7A must be submitted by April 23 to report data for the previous year.

- E. SANCTIONS** The timely submission of form EIA-7A by those required to report is mandatory under Section 13(b) of the FEAA as amended. Failure to respond may result in a civil penalty of not more than \$2,500 for each violation, or a fine of not more than \$5,000 for each willful violation. Civil action may be enforced to prohibit reporting violations and may result in the granting of a temporary restraining order or a preliminary or permanent injunction without bond. In such civil action, the court may also issue a mandatory injunction commanding any person to comply with these reporting requirements.

F. DEFINITIONS

Auger Mine: A surface mine in which the coal bed is removed by means of a large diameter drill. Usually operated only when the overburden becomes too thick for economical strip mining.

Captive Coal: All coal produced and consumed by the independent producer/operator or operating subsidiary or produced for consumption by a parent company.

Coal Bed: A bed or stratum of coal. Also called a coal seam.

Drift Mine: A mine that opens horizontally into the coal bed or coal outcrop.

f.o.b (Free on Board) Mining Operation Value: The price of coal at the mining operation. Does not include insurance and freight or shipping costs.

Independent Producer/Operator: A company which operates a coal mining operation and has no subsidiaries or parent companies and is not a contractor.

Latitude and Longitude: The distance on the Earth's surface measured, respectively, north or south of the equator and east or west of the standard meridian, expressed in angular degrees, minutes, and seconds.

Mining Operation: One mine and/or tipple at a single physical location.

Open Market Coal: Coal sold in the open market (i.e., coal sold to companies other than the reporting company's parent company or an operating subsidiary of the parent company).

Operating Subsidiary: Company which operates a coal mining operation and is owned by another company (i.e., the parent company).

Parent Company: A company which solely or jointly owns a subsidiary which operates a coal mining operation and is not owned itself or by another company.

Report Year: The calendar year beginning at 12:00 a.m. January 1 and ending at 11:59 p.m. December 31.

Shaft Mine: A mine that reaches the coal bed by means of a vertical shaft.

Slope Mine: A mine that reaches the coal bed by means of an inclined opening.

Strip Mine: An open cut in which the overburden is removed from a coal bed prior to the removal of coal.

- G. GENERAL INSTRUCTIONS** Report coal quantities in short tons (2,000 pounds) to the nearest ton. Report value in dollars to the nearest dollar. Report coal bed thickness in inches to the nearest whole inch. Report percentages to the nearest whole percent. Operating subsidiaries and contractors who are unable to provide the data requested should forward form EIA-7A immediately to the parent company or contractee for completion prior to submission to the Energy Information Administration.

- H. DISCLOSURE OF INFORMATION** The Office of Legal Counsel of the Department of Justice concluded on March 20, 1991, that the FEAA requires the Energy Information Administration to provide company-specific data to the Department of Justice, or to any other Federal Agency when requested for official use, which may include enforcement of Federal law. The information contained on this form may also be made available, upon request, to another component of the DOE; to any Committee of Congress, the General Accounting Office, or other Congressional agencies authorized by law to receive such information. A court of competent jurisdiction may obtain this information in response to an order.

The following data element will not be treated as confidential by EIA: Coal beds mined.

The name and address of the responding company, the mine or plant type (i.e., underground, surface, preparation plant) and location (state, county, and/or coal-producing district) will be released upon request in the form of a full or partial list of respondents for this coal data collection survey. All other information, other than that described above, will be kept confidential and not disclosed to the public to the extent that it satisfies the criteria for exemption under the Freedom of Information Act (FOIA), 5 U.S.C. §552, the DOE regulations, 10 C.F.R. §1004.11, implementing the FOIA, and the Trade Secrets Act, 18 U.S.C. §1905.

Upon receipt of a request for this information under the FOIA, the DOE shall make a final determination whether the information is exempt from disclosure in accordance with the procedures and criteria provided in the regulations. To assist us in this determination, respondents should demonstrate to the DOE that, for example, their information contains trade secrets or commercial or financial information whose release would be likely to cause substantial harm to their company's competitive position. A letter accompanying the submission that explains (on an element-by-element basis) the reasons why the information would be likely to cause the respondent substantial competitive harm if released to the public would aid in this determination. A new justification does not need to be provided each time information is submitted on the form, if the company has previously submitted a justification for that information and the justification has not changed.

- I. REPORTING REQUIREMENTS AND BURDEN** This report is mandatory under Public Law 93-275. Failure to comply may result in criminal fines, civil penalties and other sanctions as provided by law. For the provision concerning the confidentiality of information submitted on this form, see part H of these instructions. Public reporting burden for this collection of information is estimated to average 0.75 hour per response, including the time reviewing instructions searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection, including suggestions for reducing this burden, to the Energy Information Administration, Statistics and Methods Group, EI-70, 1000 Independence Ave, SW, Washington, DC 20585, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.